



BY THE
LORD LIEUTENANT
AND
COUNCIL

Jo. BERKELEY,



WHEREAS we are highly sensible of the many and great inconveniences, which His Majesties good Subjects in this Kingdome are too frequently brought under by the multitude of causeless presentments and Indictments, which are usually prosecuted at the Assizes and Sessions, rather out of malice or revenge than for the furtherance of justice; as also by the immoderate exaction of Fees in Clerks of the Crown, Clerks of the peace, Sheriffs and Gaolers, which do not onely disturb the peace and quiet of this Kingdome by the continual creating of animosities, and vexations, but do also very much impoverish and disable the Subjects by exposing them to unnecessary and excessive charges. For the preventing and remedying of which mischiefs, we have thought fit, and accordingly do by this our Proclamation direct and require His Majesties Judges in their respective Circuits, and also His Majesties justices of peace in their respective Counties, that they do take care at the respective Assizes and Sessions hereafter to be held, that no Grand jury shall offer, nor any Clerk of the Crown, or Clerk of the peace shall receive any indictment, except for Felony, or Treason, or any presentment hereafter to be made, without the name of the prosecutor, with the addition of his quality and place of abode thereunto annexed, to the end that if upon tryal it shall appeare to the Court, that the said indictment or presentment was malicious, the said prosecutor may be punished according to Law

for

for such prosecution. And whereas the ascertaining and publishing of the fees of the abode named Officers may tend much to the ease and quiet of His Majesties Subjects, and to the preventing of all undue exactions upon them: We have thought fit herewith to publish the establishment made of fees due to the said Officers in the time of the Lord Vice-count Grandisons Government in this Kingdome and hereunder mentioned, which Establishment We do strictly require to be observed, and that the same be affixed in some publick place at every Assizes and quarter Sessions, and that no Clerke of the Crown, Clerke of the peace, Sheriffe or Gaoler under the pain and penalty of extortion do take other, or greater fees than are therein Established, except onely in such cases, where by any Statute other fees are allowed to the said Officers; And whereas there hath been a fee of Ten shillings usually taken by His Majesties Justices of Assize, upon the tender of any Traversers to such Indictments or Presentments as have been found before them, which doth occasion an increase of charge to His Majesties Subjects, who are often found innocent upon their Tryals, and doth hinder many persons from traversing such Indictments and Presentments as are causelessly prosecuted against them, the charge of being acquitted upon such traverses being commonly so great, that it is usually more easy to submit to a small fine for such offences, whereof they are really not guilty, than to traverse such Indictments; And we having conferred with His Majesties Judges herein, they have freely and unanimously offered for the further ease of His Majesties Subjects to remit the said fee of Tenshillings, which hath been formerly taken by them upon the tendering of such traverses, whereof we have thought fit to give this publick notice to all persons, who shall be hereafter concerned therein.

And whereas we are informed that the Offices of Clerke of the Crown, and Clerke of the peace are often let to farme in several Counties of this Kingdome, which is not onely illegal, but also very inconvenient, and by reason thereof the execution of the said offices is often committed to insufficient persons, Indictments and Presentments are multiplied, and undue fees are exacted, We have thought fit hereby to require His Majesties Judges of Assize, and Justices of the peace of the respective Counties of this Kingdome to take care, that none of the said offices be let to farme, or executed by any persons, who do farme the same, but that the same be executed either by the respective Patentees of the said Offices, or by such able and sufficient sworn Deputies, as shall be approved and allowed of by the said judges and justices. And in all cases where it shall appear to the said judges or justices, that any Indictments or Presentments are maliciously prosecuted before them, they are hereby required to proceed with all the severity that the law will admit against such prosecutors, and also to certify unto Us the names of such persons, who shall so maliciously prosecute any such Presentments or Indictments, to the end they may be proceeded against and punished, as disturbers of the publick peace of this Kingdome; And the said judges and justices are also from time to time to certify unto Us the names of such Clerks of the Crown, and Clerks of the Peace, as shall continue contrary to this our Proclamation to let to farme their said Offices, or shall neglect or refuse to execute their said Offices themselves, or by such able and sufficient Deputies, as by the said Judges and Justices shall be approved and allowed of: And His Majesties Judges of Assize in the several Counties of their respective Circuits, are to cause this Proclamation and the said Establishment of fees, to be openly read in the hearing of the Countrey at the publick Assizes in every County, and the justices of the Peace in every County are to do the like at the Quarter-Sessions.

Given at the Council Chamber in *Dublin*, the 22th day of *June* 1670.

The Table of Fees.

The Table of Fees.

Sheriffs Fees.

For all <i>Capias</i> at the Suite of the King, for <i>Trespas</i> or Contempt, as also for all <i>Capias</i> of Debt, <i>Trespas</i> or Demand at the Suite of the Subject, that the Sheriff shall have for every such <i>Capias</i> in causes as aforesaid.	Twelve pence sterling.
<i>viz.</i>	
For his <i>Warrant</i> —	Four pence
For a <i>Bond</i> of bailment—	Four pence
To the <i>Bayliff</i> that maketh the <i>arest</i> & d.	
For every <i>summons</i> , or <i>scire facias</i> at the Suite of the party as well upon the original process as upon judicial Record.	Six pence
For the return and copy of any pannel.	Four pence
For returning a <i>venire facias duodecim juratores</i> .	Eight pence
For returning a <i>habeas corp.</i> —	Nine pence
For a <i>distringas jurator</i> : with a <i>tales</i> —	Sixteen pence
For <i>writs</i> of <i>Proclamations</i> containing five persons, or under for every Proclamation.	Three pence
And if it contain more for every Proclamation.	Four pence
For <i>writs</i> of execution, for debts or damages for every pound sterling under fifty*	Twelve pence
And if it exceed in every pound—	Six pence
For an <i>Inquisition</i> to inquire for damage or value of lands or goods	Three shillings four pence
For <i>writs</i> of <i>Seisin</i> or possession, for all the lands contained in the writ.	Ten shillings
And further consideration to be had of him by the Judges of the Court out of which the writ doth issue, if they shall find his pains to deserve it.	
For <i>writs</i> of restitution of goods under the value of Twenty pounds.	Five shillings
And if it be above Twenty pounds.	Ten shillings
For proceeding and executing f and upon a writ of <i>Justicies</i> .	Three shillings nine pence
For entering a <i>superfedeas</i> and the return thereof before Judgement.	Eighteen pence
For a <i>superfedeas</i> after Judgement	Twelve pence
For extents upon <i>Statute Staples Statut.</i> Merchants or recognizance if it exceed not one hundred pounds for every pound	Twelve pence
If above one hundred pounds, six pence in the pound, until you come to two hundred	Six pence
And for every pound above two hundred three pence in the pound, after that he receive the twelve pence in the first, and six pence in the second.	Three pence
And these fees to be paid by the party upon the liberate and not before.	
For every acquittal of treason by verdict	Eight shillings
For every acquittal of Felony by verdict	Five shillings
For every one pleading a pardon to an Indictment of Felony and for entering the plea, and making up the Record	Five shillings
For enrolling the pardon thereon—	Five shillings
For every one discharged (by pleading a pardon) of Treason	Eight shillings
For enrolling the pardon of Treason and making up the Record	Ten shillings
If any be indicted of Treason and is to be discharged by Warrant, for entering the Warrant, judgement, and Record	Ten shillings
If of Felony—	Five shillings
If of <i>Trespas</i> —	Eighteen pence
For every one allowed the benefit of cleargie, for making up the Record	Five shillings
For a writ of Restitution of goods upon Felony or forcible entry and for the Seal	Four shillings

* Memorand. this sol. by Statute decimo Caroli primi is made 100l.

Fees for the Clerk of the Crown &c. continued.

Fees in the Sheriffs Courts.

For a <i>Replevin</i> —	Eighteen pence
For a <i>withernam</i> —	Eighteen pence
For a writ or precept de proprietat. proband.	Eighteen pence
For the Inquisition and verdict thereupon.	Two shillings
For the return of a <i>Recordare</i> and plaint	Eighteen pence
For entering a plaint—	Two pence
For every <i>summons</i> , attachment, or distress before appearance	Three pence
For every default after Summons, attachment or distress before appearance by way of issue, to the King for the first default	Three pence
For the second default—	Six pence
For the third default—	Nine pence
And so beginning at three pence, six pence, nine pence as aforesaid, and so to renew and continue ad infinitum untill appearance	
For entering the Defend. appearance.—	Three pence
For entering the Declaration—	Three pence
For the Copy thereof—	Three pence
For entering every plea or general issue.—	Three pence
For entering the verdict and judgment—	Three pence
For every process to summon a Jury to try the issue	Three pence
For a precept of execution—	Twelve pence
For an Attorneys fee during the suit—	Twelve pence
For bloodshed—	Five shillings
For Battery—	Two shillings six pence

Fees for the Clerk of the Crown and Assizes in the Circuits.

For every one that appears upon any <i>Capias</i> upon an Indictment or presentment	Twelve pence
For every one appearing upon an alias <i>Capias</i>	Two shillings six pence
For every one appearing upon the Exigent	Four shillings
For every one appearing upon a plur. Cap.	Three shillings four pence
For every one appearing upon a <i>Capias</i> utlagat	Five shillings
For every name in a <i>superfedeas</i> to such a writ	Eighteen pence
For taking any Recognizance of the Peace, or for appearance at the next Assizes or quarter-Sessions, or within ten dayes or such like	Two shillings
For entering appearance upon such a Recognizance	Twelve pence
For taking a Recognizance of the good behaviour for ever	Three shillings four pence
For cancelling such a Recognizance—	Twelve pence
For every <i>de die in diem</i> —	Four pence
For every person that appears to find Sureties on his pardon	Five shillings
For every one that is bound to the King for appearance, and dieth before the day of appearance and his suerties plead his death, for entering the plea and allowance thereof	Three shillings four pence
For every person returned into the Kings-Bench. wherein the partie is to have advantage, if the <i>Certiorari</i> be for one person	Five shillings
If the <i>Certiorari</i> be for more than one then for every one	Two shillings
For a dismissal upon an Indictment of <i>Trespas</i> , if it be insufficient in Law	Two shillings
For every one committed by the Court for a contempt, or otherwise, and being not fined, is discharged, then for his discharge	Twelve pence
But if he be discharged presently, then to pay but	Six pence
For searching for a Record at the suite of the party, who suggesteth that he hath been formerly discharged, if it be within a year	Four pence

For every one discharged by Proclamation in Treason, if it be upon an Indictment } Three shillings four pence
 If without Indictment } Two shillings
 If of Felony, and bill be preferred, and Ignoramus found by the grand Jury } Two shillings
 If without bill Indictment preferred } Twelve pence
 For every venire facias } Nine pence
 For every one submitting himself to the grace of the Court upon an Indictment of Trespas, for entering the submission, protestation, and discharge } Two shillings six pence
 If no more then four be contained in the Indictment } Eighteen pence
 If more than four for every one } Fifteen pence
 If for Recusancie } Two shillings
 For entering the traverse to every such Indictment of trespas, and for the bonds to traverse, if four and no more be contained in the Indictment } Three shillings four pence
 If above four, every one of them } Two shillings
 If for Recusancie } Two shillings six pence
 If the Traverse do go for them, they are to pay for the Judgement and discharge being four and no more } Three shillings four pence
 If above four, for every one of them } Two shillings
 For making an Indictment of Treason } Six pence
 For making an Indictment of Felony } Six pence
 For making an Indictment of Trespas } Six pence
 For every one that hath a Copy of an Indictment of Trespas } Twelve pence

For the Clerk of the Peace continued.

For a discharge of an Indictment of Trespas, if it be not sufficient in Law } Twelve pence
 If the traverse be found for the partie, he is to pay for entering the judgement and discharge, if there be not above three } Two shillings
 If above three, for every one } Twelve pence
 For every person that submitteth himself to the grace of the Court, for entering his appearance and submission, and giving a discharge } Two shillings
 For every person returned into the Kings-bench upon a Certiorari, wherein the partie is to have advantage, if the number exceed three, for every one } Eighteen pence
 If it be for one alone } Three shillings
 For every mans acquittal of Trespas, and giving discharge } Three shillings four pence

For every year backward, that such search is made } Four pence
 For the copy of an Indictment upon a Statute } Two shillings
 For the copy of an Attainder of Felony, if the Clerk have good warrant to give it } Five shillings
 For the copy of an Attainder, of Treason if the Clerk have good warrant to give it } Ten shillings
 For the copy of a Recognizance with a condition } Nine pence
 For entering the plea and enrolling of a charter being pleaded, and where of allowance is required } Thirteen shillings four pence
 For every one that pleadeth Autrefois acquit to an Indictment of Felony } Five shillings
 For the like plea to an Indictment of Treason } Ten shillings
 If any one be fined and afterwards be Remitted, for discharging the Fine } Eighteen pence
 For release of the Peace } Twelve pence

Fees for the Clerk of the Peace.

For a copy of an Indictment of Trespas } Twelve pence
 For entering the plea to every Indictment of Felony or Trespas } Two shillings
 For a copy of an Indictment, if it be upon a Statute } Three shillings four pence

Gaolers Fees.

For a Committal } Twelve pence
 For the enlargement of a Prisoner for Treason and acquitted } Six shillings Eight pence
 For the enlargement of a Prisoner for Felony and acquitted } Three shillings four pence
 For striking off the Irons of any Prisoner } Blank
 For a Prisoners Lodging, every night, he having a good bed clean sheets &c. } Four pence
 For a Prisoners Diet per diem } Six pence
 For a Prisoner acquitted by Proclamation } Nine pence
 For the enlargement of a Servant for misdemeanor towards his master or mistress } Four pence
 Item it shall not be lawfull for any Gaoler to take from any Prisoner any part of his Cloathes, or money that the Prisoner shall have about him at the time of his Commitment, nor of any Cloathes, meat or money, that shall be sent unto him by charitable people.

Ja. Armachanus. Mich. Dublin. Canc. Donegall. R. Ranelagh.
 Shannon. Massereene. Henry Midensis. Kingston. R. Booth.
 Jo. Byffe. J. Temple. Rob. Byron. Paul Davys. Tho. Pigott.

GOD Save the King.

